

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Nina Rautonen et al.

Examiner: Unassigned

Serial No: 10/663,562

Art Unit: Unassigned

Filed: September 16, 2003

Docket: 17031

For: NOVEL USE OF CARBOHYDRATES

Dated: November 13, 2003

AND COMPOSITIONS

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants, in order to meet their duty of disclosure, set forth at 37 C.F.R. §1.56, submit herewith those references which they deem pertinent to the claims of the present application.

The pertinent prior art references are: Apajalahti et al., Appl. Environ.

Microbiol., 44, In Press (October 2003); Jie et al., Am. J. Clin. Nutr., 72, 1503-1509 (2000);

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, Virginia 22313-1450, on November 13, 2003.

Dated: November 13, 2003

Marvin Bressler

Endo et al., <u>Bifidobacteria Microflora</u>, <u>10</u> (1), 53-64 (1991); U.S. Patent Nos. 5, 437, 880; 5,439,893; and 5,827,526; Abstract of Japanese Patent Publication JP 2072842; European Patent 0 821 885; Chem. Abstr. 129: 239693; and Chem. Abstr. 134:100052.

To that end, applicants enclose completed Form PTO-1449 wherein these references are set forth. In accordance with the new rule set forth at 37 C.F.R. §1.98(a)(2)(i), applicants are not required to submit a copy of the above-cited U.S. patent references.

Applicants request that the Examiner initial these references on completed Form PTO-1449 and make them of record in the file of the present application.

The instant Information Disclosure Statement is filed within three months of the filing date of the subject application. As such, the instant Information Disclosure Statement is filed under 37 C.F.R. §1.97(b)(1). An Information Disclosure Statement filed under this rule need be accompanied by neither certification nor fee.

Respectfully submitted,

Marvin Bressler

Registration No. 25,131 Attorney for Applicants

Scully, Scott, Murphy & Presser 400 Garden City Plaza Garden City, New York 11530 516-742-4343 MB:ml

				Docket Number (Optional)		Application Number			
INFORMATION DISCLOSURE CITATION				17031 10/663,562 Applicant(s)					
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		5,437,880	08/01/95	Takaich	ni et al.				
		5,439,893	08/08/95	Richard	ls et al.				
		5,827,526	10/27/98	Dohnale	ek et al.				
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		0 821 885	11/13/02	EPO				YES	NO
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				OTHER	DOCUMENTS (Including	Author, Title,	Date, Pertinent Pa	ges, Etc.)	
	Apajalahti et al., Appl. Environ. Microbiol., 44, In Press (October 2003)								
	Jie et al., Am. J. Clin. Nutr., 72, 1503-1509 (2000)								
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INITIAL		OTHER DOCUMENTS (Including Author, Endo et al., Bifidobacteria Microflora, 10 (1), 53	Title, Date, Pertinent Pages, Etc.)	
		Endo et al., Diliuovacieria ivileronora, ao (a), ao	-04 (1771 <i>)</i>	
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		Abstract of Japanese Patent Publication JP 2072	842	
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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1597(c))					Docket No. 17031		
In Re Application Of: Nina Rautonen et al.							
	Serial No. Filing Date Examiner Group Art Unit						
1	10/663,562 September 16, 2003 Unassigned Unassigned						
Title: NOVEL USE OF CARBOHYDRATES AND COMPOSITIONS							
		Commiss P.O	ddress to: ioner for Patents). Box 1450 a, VA 22313-1450				
		37 C	FR 1.97(b)				
1. 🛚	1. A The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.						
	· ·	37 C	FR 1.97(c)				
2.	2. The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:						
	☐ the staten	nent specified in 37 CFR 1.97(e);					
		OR					
	☐ the fee se	et forth in 37 CFR 1.17(p).					
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In Re Application: Nina Rautonen et al.						
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NOVEL USE OF CARBOHYDRATES AND COMPOSITIONS						
	· ·		EP 1 17/n))			
Payment of Fee (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p)) A check in the amount of is attached. The Director is hereby authorized to charge and credit Deposit Account No. 19-1013 as described below. Charge the amount of Credit any overpayment. Charge any additional fee required. Certificate of Transmission by Facsimile* Certificate of Transmission by Facsimile* Certificate of Mailing by First Class Mail I certify that this document and ee is being deposite on 11/13/03 with the U.S. Postal Service as a first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. (Date) *This certificate may only be used if paying by deposit account. *This certificate may only be used if paying by *This recrtificate may only be used if paying by *This recrtificate may only be used if paying by *This recrtificate may only be used if paying by *This recrtificate may only be used if paying by *This recrtificate may only be used if paying by *This recrtificate may only be used if paying by *This recrtificate may only be used if paying by *This recrtificate may only be used if paying by *This recrtificate may only be used if paying by *This recrtificate may only be used if paying by *This recrtificate may only be used if paying by						
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516-742-4343						

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